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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,836	10/04/2000	Sang-Hun Sung	P-123	4867
7590	02/08/2005		EXAMINER	
Fleshner & Kim, LLP 14500 Avion Parkway Suite 125 Chantilly, VA 20151			MEW, KEVIN D	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/678,836	SUNG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kevin Mew	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 26 August 2004.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) 2, 4, 10, 17 is/are withdrawn from consideration.

5) Claim(s) 1,3,5-9,11-13,15,20,22 and 24-27 is/are allowed.

6) Claim(s) 14,16,18, 19, 21 and 23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

***Detailed Action***

***Response to Amendment***

1. Applicant's arguments filed on 8/26/2004 regarding claims 1, 3, 5-9, 11-16, 18-23 have been fully considered. Newly added claims 24-27 have also been considered and claims 1-3, 5-9, 11, 16, 18-23, 24-27 are currently pending. Claims 2, 4, 10, 17 have been canceled by the Applicant.
2. Acknowledgement is made of the amended drawings regarding the objection to the deficiencies of the drawings cited in the previous Office Action. The objection to the drawings has been withdrawn.
3. Acknowledgement is made of the amended claims regarding the objection to the deficiency of claims 1 and 3 cited in the previous Office Action. The corrections are acceptable and the objection to these claims has been withdrawn.
4. Acknowledgement is made of the amended claims regarding the 35 U.S.C. 112 rejection of claims 2, 3, 5, 8, 11 cited in the previous Office Action. The corrections are acceptable and the 35 U.S.C. 112 rejection of these claims has been withdrawn.

***Claim Objections***

5. Claims 19, 21 are objected to because of the following informalities:  
Claims 19, 21 are now dependent on the canceled claim 4. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 14, 16, 18, 23 are rejected under 35 U.S.C. 102(b) as being anticipated by the admitted prior art, Masui (USP 6,570,865).

Regarding claim 1, Masui discloses an apparatus (**a communication system that comprises a plurality of base stations and a plurality of mobile terminals**, see Fig. 1) for acquiring multi-user signal synchronization (**facilitating fast synchronization of spreading codes between each radio terminal and a base station**, see lines 66-67, col. 6 and line 1, col. 7) in a CDMA system (**system for CDMA packet transmission**, see lines 4-7, col. 6 and Fig. 4), comprising:

**a plurality of CDMA transmitters (a plurality of base stations, see Fig. 1), which generate pilot signals using different Pseudo Noise (PN) seeds (the base station spreads the pilot signal with a spreading code PN, see lines 1-2, col. 7) and align the generated pilot signals to transmit them within a prescribed time (the base station spreads the pilot signal with a spreading code PN having a suitable period, and continuously transmits the spread spectrum pilot signal on a pilot channel, see lines 1-5, col. 7) from a synchronization point of time (assigned transmission timing, see 34-42, col. 7; note that pilot signal is transmitted as the reply packet, see lines 14-15, col. 7); and**

a CDMA receiver (**a CDMA transceiver**, see element 50, Fig. 6) comprising a single matched filter (**short code matched filter**, see 70a, Fig. 7), to acquire a synchronization of signals transmitted from the plurality of CDMA transmitters (**realizing fast synchronization**) in one frame period (**the period of a PN sequence**, see lines 53-57, col. 8) by varying a tap coefficient at a certain interval in the frame period (**a plurality of coefficients, one in each tap, arranged on the input side of the delay element at the first stage and on the output side of the respective delay elements**, see lines 9-18, col. 9 and Fig. 8A).

Regarding claim 14, Masui discloses the apparatus of claim 1, wherein the matched filter comprises:

a plurality of taps (see element 402, Fig. 5) to delay pilot signals transmitted from the plurality of CDMA transmitters for prescribed time periods before outputting the pilot signals (see lines 9-18, col. 9 and Fig. 8A);

a coefficient generator (see coefficients  $a_1-a_n$ , Fig. 8A; it is inherent that these coefficients are generated by a coefficient generator) to generate coefficients corresponding to the PN seeds (respective chip values of the PN sequence  $a_1-a_n$  for the reservation channel are previously set in the respective coefficient multipliers as coefficients, see lines 26-30, col. 9) used in the plurality of CDMA transmitters and output the pilot signal at a prescribed interval in a frame period (one period portion of the PN sequence simultaneously appears at the plurality of taps at the time the top chip of an inputted signal reaches the rightmost tap, see lines 24-27, col. 9);

a plurality of multipliers to multiply signals outputted from the plurality of taps by corresponding coefficients outputted by the coefficient generator (see lines 27-30, col. 9 and Fig. 8A); and

a summer to sum the outputs of the plurality of multipliers, wherein the summed value is a correlation value (accumulator, see lines 30-32, col. 9 and element 73, Fig. 8A).

Regarding claim 4, Masui discloses a method for acquiring multi-user signal synchronization in a CDMA receiver (CDMA receiver receives the spread spectrum communication signal and synchronizes receiver bit timing and transmitter bit timing, see lines 1-4, page 8 and line 2, abstract), comprising:

receiving aligned pilot signals having different Pseudo Noise (PN) seeds from a plurality of CDMA transmitters (**each base station spreads the pilot signal with a spreading code PN**, see lines 1-2, col. 7), the aligned pilot signals having been transmitted from the plurality of CDMA transmitters in one frame period (**the base station spreads the pilot signal with a spreading code PN having a suitable period, and continuously transmits the spread spectrum pilot signal on a pilot channel**, see lines 1-5, col. 7); and

acquiring synchronization of transmitted signals by dynamically updating a tap coefficient at a certain interval in the frame period (**a plurality of coefficients, one in each tap, arranged on the input side of the delay element at the first stage and on the output side of the respective delay elements**, see lines 9-18, col. 9 and Fig. 8A) and correlating it with the pilot signals (**a total sum of the results of multiplications of respective tap outputs by the respective coefficients is calculated by an accumulator and the accumulation result is outputted as a correlation value**, see lines 30-32, col. 9 and Fig. 8A).

wherein the received pilot signals are prealigned (pilot signal is spread with a PN sequence having a suitable period, see col. 7, lines 1-10).

Regarding claim 16, Masui discloses the system of claim 14, wherein the delay circuit comprises a plurality of taps configured to sequentially delay each of the pilot signals by a prescribed delay time (see lines 10-12, col. 9 and element 71, Fig. 8A).

Regarding claim 18, the system of claim 14, wherein the delay circuit comprises a plurality of taps configured to sequentially delay each of the pilot signals by a prescribed delay time (see lines 20-27, col. 9 and Fig. 8A).

Regarding claim 23, he apparatus of claim 3, further comprising a plurality of demodulators to demodulate signals from the plurality of CDMA transmitters after being synchronized in the matched filter (it is inherent that demodulators are used on the receiver to demodulate signals after being synchronized in the matched filter).

#### *Response to Arguments*

7. Applicant's arguments with respect to claims 1, 3, 5-9, 11-16, 18-23 have been considered but claims 14, 16, 18, 23 are moot in view of the new ground(s) of rejection.

***Allowable Subject Matter***

8. Claims 1, 3, 5-9, 11-13, 15, 20, 22, 24-27 are allowed.
9. Claims 19, 21 are dependent upon a canceled base claim, which is claim 4, but would be allowable if the Applicant is able to overcome the claim objection to claims 19 and 21 described above.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 1, Masui discloses the apparatus of claim 1, wherein the prescribed time of alignment of the plurality of CDMA transmitters is greater than, zero, and less than the difference of a dividend of a period of one frame divided by the number of CDMA transmitters minus a time taken for loading the transmitted signals to the entire taps of the matched filter.

In claim 5, acquiring synchronization of the transmitted signals and outputting position data in which the offset from the synchronization point of time is transferred to a corresponding demodulator, if the signal from one CDMA transmitter among signals received from the plurality of CDMA transmitters equals the loaded coefficient.

In claim 8, the generated tap coefficient is loaded in a random order at the prescribed time interval in the frame period regardless of the order of users using the corresponding PN seed.

In claim 24, an apparatus for acquiring multi-user signal synchronization in a CDMA system, comprising:

wherein the generated pilot signals are aligned such that a first one of the plurality of CDMA transmitters transmits at a first time that is offset from a beginning of a frame, a second one of the plurality of CDMA transmitters transmits at a  $M/N$  time, and a  $N$  one of the plurality of CDMA transmitters transmits at a  $(N-1) M/N$  time, where  $M$  is a time length of the frame and  $N$  is a total number of the plurality of CDMA transmitters.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 2664

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